

IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

JAMES E. FERGUSON,

PLAINTIFF

VS.

CAUSE NO. 08-12-2587

RICKY CROCKETT, JANET CROCKETT, BANK UNITED,  
FIRST FAMILY FINANCIAL SERVICES, INC., GREEN  
TREE FINANCIAL SERVICING CORPORATION,  
and ANY AND ALL PERSONS HAVING OR CLAIMING  
ANY INTEREST IN THE LAND DESCRIBED HEREIN,

DEFENDANTS

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ORDER TO QUIET AND CONFIRM TAX TITLE

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THIS CAUSE CAME ON for hearing on the Amended Complaint of James E. Ferguson, Plaintiff, to confirm his tax title in the below described property, and the Court having considered the complaint and proof adduced in open Court, does find as follows:

1. The parties are the following:

A. James E. Ferguson, an adult resident citizen of DeSoto County, Mississippi, whose residence, post office, and street address are 2200 Bolin, Hernando, Mississippi 38632.

B. Ricky Crockett, who was served with process of this Court personally on May 6, 2009.

C. Any and all persons having or claiming to have any legal or equitable interest in the land hereinafter described who were served with process by publication on January 29, 2009.

D. Defendant Bank United, a foreign corporation not registered to do business in the State of Mississippi, was served by certified mail, return receipt requested, at 3200 Southwest Freeway, Suite 200, Houston, Texas 77027, on December 22, 2008.

E. First Family Financial Services, Inc., served personally through its registered agent on January 29, 2009.

F. Green Tree Financial Servicing Corporation, served personally through its registered agent on January 29, 2009.

2. The Plaintiff is the owner in fee simple of the following land in DeSoto County, Mississippi, described as follows:

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Lot 92, Section D, Magnolia Estates Subdivision, situated in Section 35, Township 1 South, Range 6 West, DeSoto County, Mississippi, as shown on the plat appearing of record in Plat Book 36, Page 29-30 in the Chancery Clerk's Office of DeSoto County, Mississippi, to which Plat reference is made for a more particular description.

### DERAIGNMENT OF TITLE

3. Plaintiff deraigns his title to the above described property as follows:

(a) Patent from United States of America to Lush-pun-tubby, dated February 6, 1836, and recorded in Deed Book 24, Page 62 in the Office of the Chancery Clerk of DeSoto County, Mississippi.

(b) Warranty Deed from Van W. Nail and wife to J.J. Stephenson, dated June 3, 1911, and recorded in Deed Book 16, Page 287 in the Office of the Chancery Clerk of DeSoto County, Mississippi.

(c) Deed from J.F. Conger, Commissioner, to Ethridge Stallings, dated April 3, 1937, and recorded in Deed Book 26, Page 131 in the Office of the Chancery Clerk of DeSoto County, Mississippi.

(d) Warranty Deed from C.E. Stallings to C.S. Mills and wife, dated March 25, 1941, and recorded in Deed Book 28, Page 239 in the Office of the Chancery Clerk of DeSoto County, Mississippi.

(e) Warranty Deed from C.S. Mills, Jr., Elnora M. Sanderson, Sadie M. Strawn and Clara M. Barnes to Charles R. Riggan and W. Turner Askew, dated January 30, 1976, and recorded in Deed Book 122, Page 575 in the Office of the Chancery Clerk of DeSoto County, Mississippi.

(f) Warranty Deed from Charles R. Riggan and W. Turner Askew to J.B.L. Enterprises, Inc., dated June 19, 1986, and recorded in Deed Book 188, Page 91 in the Office of the Chancery Clerk of DeSoto County, Mississippi.

(g) Warranty Deed from Charles R. Riggan and W. Turner Askew to Magnolia Partners, dated November 9, 1989, and recorded in Deed Book 220, Page 425 in the Office of the Chancery Clerk of DeSoto County, Mississippi.

(h) Warranty Deed from J.B.L. Enterprises, Inc., to Magnolia Partners, dated November 8, 1989, and recorded in Deed Book 220, Page 427 in the Office of the Chancery Clerk of DeSoto County, Mississippi.

(i) Warranty Deed from Magnolia Partners to Castle Construction Co., dated August 24, 1990, and recorded in Deed Book 229, Page 355 in the Office of the Chancery Clerk of DeSoto County, Mississippi.

(j) Warranty Deed from Castle Construction Co. to Ricky Crockett, dated April 26, 1991, and recorded in Deed Book 234, Page 665 in the Office of the Chancery Clerk of DeSoto County, Mississippi.

(k) On the 26<sup>th</sup> day of August, 2006, the land was sold by the Tax Collector of DeSoto County, Mississippi, Joey Treadway, for the taxes thereon due for the year 2005 when the Plaintiff became the best bidder therefore. The sale was certified to the Chancery Clerk in the manner and within the time required by law; the tax sale remained on file in the Office of the Chancery Clerk for redemption for two years and the Chancery Clerk gave all notice required by law to the former owner and to the lien holders and after the time for redemption had expired the Chancery Clerk made and delivered a Tax Deed to the Plaintiff and the Plaintiff caused the same to be recorded in the records of the DeSoto County Chancery Clerk's Office in Book 595, Page 420 in the Office of the Chancery Clerk of DeSoto County, Mississippi. A true and correct copy of the Tax Deed is attached to the Amended Complaint as Exhibit "A".

4. The said land at the time of the tax sale was assessed to the Defendant, Ricky Crockett. The Defendant was in possession of the property claiming to be Lot 92, Section D, Magnolia Estates Subdivision, and claiming solely as such. Said Defendant, Crockett, claimed to own said property through a chain of title extending back to the patentee.

5. After diligent such and inquiry, Plaintiff is unable to give the names, residences, or post office addresses of any persons other than those herein mentioned who have any claim to any interest in this land, but because of the long number of years since the patented land was issued, it is possible that there may be others not now as retainable after diligent search and inquiry by the Plaintiff.

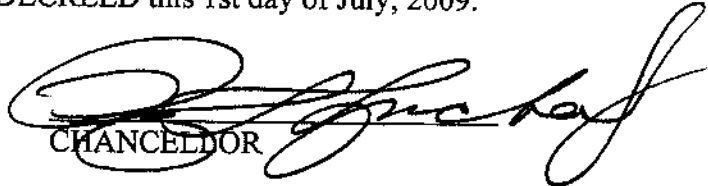
6. Publication was made in the *DeSoto Times Tribune*, a local newspaper with a general circulation in DeSoto County, Mississippi, on January 29, 2009, February 5, 2009, and February 12, 2009. A copy of the Proof of Publication was filed in this cause. All Defendants were served with process in the time and manner required by law and none have entered an appearance in this cause.

7. There has been no Answer of Contest filed and no appearance made by any of the above named Defendants.

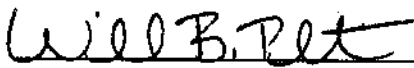
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that title to the above described property is now quieted and confirmed in James E. Ferguson, owner in fee simple.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that a copy of this Order shall be recorded and indexed in the DeSoto County Chancery Court Deed Records and Plaintiff is to pay costs of Court.

ORDERED, ADJUDGED AND DECREED this 1st day of July, 2009.

  
CHANCELLOR

JAMES E. FERGUSON



MICHAEL K. GRAVES, MSB NO. 9359

WILLIAM B. PALMERTREE, MSB NO. 101835

Walker, Brown, Brown & Graves, P.A.

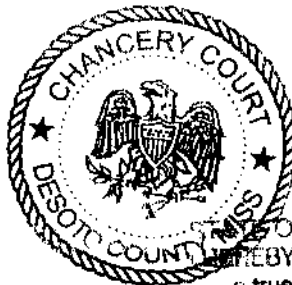
2540 Highway 51 South


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Hernando, MS 38632

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*Attorneys for Plaintiff James E. Ferguson*



STATE OF MISSISSIPPI, COUNTY OF DESOTO  
I HEREBY CERTIFY that the above and foregoing is  
a true copy of the original filed in this office.  
This the 1 day of July, 2009  
W.E. Davis, Clerk of the chancery court  
 c.s.